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REPLY

OF

WILLIAM LEE

TO THE CHARGES OF

SILAS DEANE.

1779.

EDITED BY

WORTHINGTON CHAUNCEY FORD

BROOKLYN, N. Y.:
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NO. 7

NOTE.

THIS defence of William Lee, the representative of the Continental Congress at the Courts of Vienna and Berlin, to the charges made by Silas Deane in December, 1778, is taken from the *Letters of William Lee*, now in press. I have inserted in the proper place his letter to the President of Congress, 5 October, 1777.

WORTHINGTON CHAUNCEY FORD,

BROOKLYN, N. Y., *May, 1891.*

TO THE PRESIDENT OF CONGRESS.

PARIS, 17 March, 1779.

Sir:

Your Excellency will most particularly oblige me by laying the enclosed papers before The Honorable Congress of the United States of America, as soon as they come to your hands, with my most humble respects and duty, and I trust their goodness will excuse the length of them; for the field that Mr. Deane has open'd is so large, and the matter so abundant, that it was impossible to comprise even a summary state, so as to be clearly understood within a shorter compass.

I have the honor to be, with the highest respect and consideration.

Your Excellencies, &c.*

TO THE PRESIDENT OF CONGRESS.

8 March, 1779.

Sir:

I had not been a great while in France, before I was convinced, from observing the extraordinary manner in which the public business of America was conducted, that some day or other a public

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* Endorsed. "Read August 30." Although the defence is dated the 8th of March, I place it after the letter of transmittal.

enquiry into those proceedings must take place; therefore, as my duty to my country call'd upon me to do, I observ'd with attention such facts and circumstances as came within my knowledge; tho' it must be confess'd that, almost on every occasion, infinite pains seem'd to be taken by the parties most concern'd in those extraordinary transactions, to keep me as much in the dark as possible; therefore 'tis reasonable to suppose that what I did know and observe, is by no means the whole of what was done against the interest and benefit of America.

I had some time since drawn up a short note of several facts, to be at the public service whenever the day of enquiry should arrive; but a late publication in the London newspapers, said to be taken from Dunlap's Pennsylvania Packet of December the 5th, 1778, signed S. Deane, and addressed "to the free and virtuous Citizens of America," which has just come to my hands, renders it necessary that I shoud enlarge a little; but I will endeavor to avoid prolixity, as far as a strict regard to truth, and a clear exposition of facts will admit; which will oblige me in the course of this narrative, often to mention the name of Dr. Franklin, his nephew, Mr. Jonathan Williams, as well as of other persons.

Mr. Deane, in the letter above mentioned, says: "In February, 1777, I received a notification of the appointment of William Lee, Esqr, to be one of your Commer-

cial Agents in Europe, of which. I gave him notice. As your commercial affairs were, at that time, in such a state as to require much attention and care, I press'd this gentleman, then in England, to come over immediately, and execute his office; but heard nothing from him till the month of June, when he arrivd at Paris. At this place he continued till about some time in August, when he went to Nantes. There he was loudly calld to regulate certain affairs, which he prudently declin'd; lest, as he observed, his property in England should be affected. In September or October he return'd to Paris, and there receivd his appointment of Commissioner to the Courts of Vienna and Berlin. He continued nevertheless, inactive at Paris, until the month of December, carefully concealing his appointments, which might indeed have militated against his office of Alderman of the city of London, which he had then, and probably does still retain. When the news of General Burgoyne's defeat and surrender arrivd, it produced a revolution in the minds of many, and among others, inspired your commercial agent and political Commissioner, the Honorable William Lee, Esqr, with some degree of activity in your favor. That I may not be under a necessity of mentioning this Gentleman again, I add here, that he hath since gone to Vienna, having first appointed sundry commercial agents for you at the several ports, and in one instance remov'd the person* who had faithfully done your business for 2 p^{r} C^{t}, in favor of

* Here a note of Mr. Deane's letter mentions Mr. Williams as being the person displaced by me.

another, who is to receive 5 p^{r} C^{t}, of which, as well as of the like Commission at other places, Mr. Lee receives a share, for superintending at Vienna the business on your account, a thousand miles from his place of residence."

I have with design put the whole of Mr. Deane's charge against me here, because the following state of facts will be the compleatest answer that can be given, and will shew at the same time what induc'd Mr. Deane to make it.

Mr. Deane says "that in February, 1777, I receiv'd a notification of the appointment of William Lee, Esqr, to be one of your Commercial Agents in Europe, of which I gave him notice. As your Commercial affairs were, at that time, in such a state as to require much attention and care, I press'd this Gentleman, then in England, to come over immediately and execute his office; but heard nothing from him till the month of June."

About the 21st. of April, 1777, I receivd by the Penny Post in London, a letter from the Honorable Silas Deane, Esqr, dated Paris, March the 30th, 1777, directed thus—"To Alderman William Lee, Esqr, London," in Mr Deane's hand-writing and sealed with the initial letters of Mr. Deane's name, vizt. S. D. Mr. Deane's hand-writing being then well known in London, and his name just before, having been often mentioned in almost every company and public Gazette in England, in conse-

quence of the proceedings of John the Painter, I thought at the first moment, that the letter was a snare laid for me by the tools of the ministry; not then conceiving that it was possible for Mr. Deane, who had been entrusted by Congress, to be capable of such indiscretion, or that he had any latent design of injuring me, with whom, at that time, he had no connection, or of injuring my relations, who had never given him any offence that I knew of. The sequel will shew whether I judg'd too favorably of Mr. Deane or not. In this letter, Mr. Deane only informs me, that the Secret Committee of Congress had appointed me joint Commercial Agent with Mr. Thomas Morris, and desiring my immediate *answer*, whether I wou'd accept the appointment or not, as he was to write to America in a few days, and wish'd to communicate my resolution; without saying a single word about the state, nature, or situation of the commercial affairs in France; or in the most distant manner hinting, that my presence was necessary or wishd for: on the contrary, the whole spirit of the letter seemed to say "You need not come."

On the same day that Mr. Deane wrote the above laconic letter of advice to me, he wrote the following letter to Mr. Jonathan Williams, Dr. Franklin's nephew, who had left London, and gone to Paris in about six weeks after Dr. Franklin's arrival in France, and was then at Nantes.

PARIS, 30 March, 1777.

Dear Sir:

I wrote you a few days since that we had purchasd the whole Magazine of Monthieu, and inclosed you his order for the delivery. From all appearances of affairs we shall have many concerns at Nantes for some time, and as I have great confidence in you, desire you woud in return have so much in me as freely to state the terms on which you can undertake our business, as I can by no means feel easy at your being in a state of uncertainty on that subject, and it is on our side proper that we should fix on some certain conditions. It is probable that our affairs may amount to five or six hundred thousand livres at Nantes in the course of this year, and if you determine on fixing at Nantes it may give you a good introduction.

The ordinary post from Paris to Nantes is three days, and three days from Nantes to Paris, so that Mr. Deane might have had Mr. Williams' answer with ease, near a fortnight before I received his letter above mentioned: Every person is left to judge for himself of the probability of this answer being receivd, before the letter to me was sent from Paris.

It is proper to mention here, that notwithstanding Mr. Deane acknowledges he was advisd in February, 1777, that I was appointed one of the Commercial agents; yet Dr. Franklin and himself enterd into a contract in behalf of Congress, with the Farmers General of France on the 24th of

March, 1777, to deliver in France in the course of that year five thousand hogsheads, or five million pounds of James and York River tobacco (the best kind that is made in that State) at the rate of forty livres for every hundred French pounds, which make above 107 pounds English, with an allowance of 4 p^{r} ct. and eight pounds p^{r} hhd. to be deducted from the weight of the tobacco; 2 p^{r} ct. discount on the money, and all damaged or rotten tobacco to be cut off; which on some occasions might amount to 40 or 50 p^{r} c^{t} more; also all the tobacco that Congress could send to France over and above the 5000 hogsheads, was to be delivered to the Farmers General on the same terms, and at the same price; altho' it was then publickly known that Mr Thomas Morris, as commercial agent, had contracted in the month of January preceding with the same Farmers General for all the tobacco that shoud arrive in any of the ports of France on the public account, during the continuance of the then existing war with Great Britain, either of the growth of any part of Maryland or Virginia, at the rate of seventy livres for every quintal or hundred pounds; the hogshead to be weighed with the tobacco, and from the gross weight 26 p^{r} c^{t} was to be deducted for the weight of the cask, trett (?) damage, and every other kind of allowance whatsoever. I shall not make any remarks either on this proceeding of the two honorable commissioners, nor

on the difference of advantage to America in the two contracts; the meanest capacity is capable of forming a clear judgment on both; but I must mention, that at this time Dr. Franklin being not only sole minister to the Court of France, but also superintending commercial agent, all the tobacco that arrives now on public account is delivered to the Farmers General under this unequal contract made by Dr. Franklin and Mr. Deane, which hardly pays the first cost, exclusive of the freight, insurance, &c.

But to return to myself. Altho' the manner of Mr. Deane's letter coming to my hands, its unusual direction, and its contents, occasion'd many reflections in my mind; yet the urgent desire I not only then had, but always had and still have, to serve my country, immediately decided me to accept the appointment. But I cannot suppose there is any man in the world, who will not join with me in opinion, that it would have been folly in the extreme to answer Mr. Deane by the post; because my letter being intercepted, would have been sufficient ground for my being put in prison, where I might have remained untryd to this moment: especially too, as at that time I knew that spys were set to watch me, when I went out of my house, in consequence of an information having been given to a Secretary of State, that I was concerned in a conspiracy with some of the most

respectable persons in England, to take away the King's life.*

I waited therefore to find a private conveyance, and on the 30th of the same month of April 1777, by an American gentleman, who left London that night to go directly to Paris, I wrote to Mr. Deane that I had receivd his letter, and would go over to France to execute the appointment, as soon as I coud possibly settle my affairs in England.

This letter Mr. Deane acknowledged to me in Paris that he had receivd. Indeed he could not quite so well have denyd it; because the gentleman happened to be there in Town. I also wrote to my Brother, Arthur Lee, then one of the commissioners in France, on the 2d of May following, that I wou'd go to France, as soon as it was possible to execute the appointment, and requesting him to communicate this determination to those whom it concerned. This letter Mr. A. Lee received, and did communicate my determination to Dr. Franklin and Mr. Deane, before he left Paris to go to Berlin, which was on the 15th of May, 1777. Mr. A. Lee is now in possession of my letter, and is ready to verify, when called upon, that he did make this communication. I set to work with the greatest diligence to settle my affairs; well knowing that when I left England it must be forever,

* An absurd matter, for which Sayre was arrested and put in the Tower.

and probably, too, all the property that I left behind me : but every one in the least conversant in trade will know, that it must require a considerable time for any London Merchant, who has been in a pretty extensive commerce for upwards of seven years, to settle finally and close all his business. However, hearing from general report, that the commercial affairs of America in France were in disorder, and very ill conducted, I determined to sacrifice my private concerns, to the public service of my Country; and for that end, to leave London immediately. As it was impossible in so short a time to settle my own business fully, I was obliged to leave it unfinish'd, and much of my property behind ; by which I can make it appear that my private fortune has sufferd to the amount of several thousand pounds sterling. Added to this, I left Mrs. Lee not recovered from her lying in, with an infant about three weeks old. I quitted London the 7th of June, 1777, and arriv'd in Paris the 11th of June : I wrote to Mr. Deane immediately, informing him of my arrival, and of my being somewhat fatigued with my journey, which prevented my waiting on him that evening ; but that I wou'd do myself the pleasure of calling on him the next morning, if he would be so good as to let me know what hour woud be most agreeable to him. To this I receivd in answer the following curious card :

Mr. Deane has the honor of presenting his compliments to Mr. Lee. Mr. Deane will be at his Hotel tomorrow morning at 10 o'clock."

Notwithstanding this reply, I went to Mr. Deane precisely at 10 o'clock the next morning, vizt., June the 12th. I told him that I was come in consequence of the letter he had been pleased to write to me, informing me of the Secret Committee of Congress having appointed me their Commercial Agent, and desired to know if he had the appointment. He replyd he had not. I then askd, if he or the other Commissioners had any authority, under which I cou'd act. He answered that he had not, nor did he believe the other Commissioners had; but he had a private letter from Robert Morris, Esqr, Chairman of the Secret Committee, mentioning my appointment, and desiring him to give me notice of it; but the letter being a long one, and chiefly on private business, he cou'd not give it to me. He then entered into a long detail about the conduct of Mr. Thomas Morris, joint agent with me, and said that a Mr. Ross (a Scotch Merchant that had been some time in Philadelphia, but had left it in 1776, and gone to Hamburgh, from whence he had come at the request of Robert Morris, Esqr) was then at Nantes, settling the former transactions of Mr. Thomas Morris; which were in a very disordered state, and until Mr. Ross had finished that business, he thought it wou'd not

be adviseable for me to go to Nantes; however when Dr. Franklin came, who was expected every moment, they woud talk over the business together. I replyd that I thought it my duty, and that I was ready and willing to render the public every service in my power; however, being entirely unacquainted with the nature, extent and situation of the Committee's business, and also of the then state of politics in France, I shou'd submit my conduct wholly to the direction of himself and Dr. Franklin, who, knowing those things at that time much better than myself, were the best judges of what was proper to be done for our Country's benefit. I waited for Dr. Franklin till 2 o'clock, who not coming when dinner being ready to be brought on the table, and not being asked to stay longer, I went away, but was desird by Mr. Deane, to call again in the evening, as Dr. Franklin woud certainly be there then. I did call at Mr. Deane's the same evening, but did not have the pleasure of meeting Dr. Franklin. I went to Passy the next morning, when Dr. Franklin was come to town. I return'd to Mr. Deane's where I found Dr. Franklin. After waiting in an ante-chamber about an hour and a half, I had the honor of a conference with the two gentlemen, Dr. Franklin and Mr. Deane, which was nearly the same as what had passd the day before between Mr. Deane and myself; and the conclusion was, their joint opinion

and advice, that I should not go to Nantes, till Mr. Ross had finished the business he was then about; especially too, as it did not appear, that I had any regular authority from the Committee to act. I waited accordingly in Paris 'till the latter end of July (except a little excursion of a few days to Havre de Grace) very frequently calling on Mr. Deane, and often on Dr. Franklin; to both of whom I always express'd my anxiety to enter on the public business, if there was any for me to do. Mr. Deane, who kept up the correspondence at Nantes, and indeed seem'd on all occasions to act the part of the principal mercantile agent, continually reply'd, that Mr. Ross had not finishd the business he was upon; but expected to end it very soon. About the latter end of June, while I was thus waiting in Paris, under the directions of Mr. Deane and Dr. Franklin, several prizes were sent into France, that had been taken by the Continental armd vessels; Reprisal, Capt. Wickes; Lexington, Capt. Johnson; and Dolphin, Captain Nicholson. These prizes Mr. Thomas Morris claimd the disposal of, under the Secret Committee's appointment and instructions; but Mr. Deane thought proper to order Mr. Williams to get possession of, and dispose of them; and when Capt. Wickes, who acted as Commodore, returnd into port, he had orders from Mr. Deane to put the prizes made by his little squadron into the hands of Mr. Williams,

who was also appointed to superintend the refitting of these armd vessels. These orders and directions of Mr. Deane, he says, were given with the consent and approbation of Dr. Franklin. Be that as it will, Mr. Morris opposd the execution of them, and remonstrated against them by letters to Mr. Deane, to whom he sent a copy of the Committee's instructions relative to prizes sent into France. This made no alteration in Mr. Deane's conduct; and what is still more remarkable, tho' I had been in Paris for some time, and was then waiting there, under the advice of Dr. Franklin and Mr. Deane, always ready at any moment to enter on the public business, for which purpose I had left England, the whole of this transaction about the prizes was kept a profound secret from me. About the latter end of July, when Mr. Morris's opposition had given Mr. Deane's agent, Mr. Williams, a good deal of trouble; and seemd as if Mr. Morris was determin'd to thwart the schemes that had been plan'd to take his business from him (the day my Brother, Arthur Lee, returned to Paris from Berlin), Mr. Deane told me that he understood my letters of appointment, from the Secret Committee of Congress were then, and had been for some time, in the hands of Mr. Morris at Nantes; and as Mr. Ross had not been able to compleat the settlement of Mr. Morris's former transactions, he thought I had better go down to Nantes. I waited

on Dr. Franklin at Passy the next morning, and informd him of what Mr. Deane had told me the day before; when Dr. Franklin agreed in opinion with Mr. Deane, that it was adviseable for me to go to Nantes; but neither by the one nor the other was a syllable mention'd to me about the affair of the prizes.

They then wrote me the following letter:

PARIS, 31 July, 1777.

Sir:

The hope of obtaining previously by means of Mr. Ross a clear state of Mr. Morris's proceedings in the commercial affairs of the Congress (which was our inducement to advise your stay here for some time) being vanish'd, we now think it prudent and right for you to proceed to Nantes as soon as possible, and there take such measures as to you shall appear most for the public interest, which we accordingly advise you to do; and are with great esteem, sir, your most obedient hble servants.

B. FRANKLIN,
SILAS DEANE.

WM. LEE, Esq[r]

I accordingly left Paris in the morning of the 2nd. of August to proceed to Nantes. I hope to be excused for mentioning here a circumstance, tho' it does not immediately relate to me; because it marks, as strongly as what has preceded, the spirit with which the public business of America was conducted at that time at Paris.

Early in June, 1777, the owner of the ship Richard Penn, mounting 14 guns (a sufficient force then to keep off the British letters of mark, a fine vessel and good sailer, built at Philadelphia) came to Paris and offerd to sell her to the commissioners, to carry stores, &c, to America. She cou'd have been in a very few weeks in any port of France ready to take in her Cargo for America. The owner, I believe, did not wish for a higher price than £2500 sterling or at the most £3000 sterling. This offer, however, was refus'd, because it was plan'd for Mr. Williams to buy a vessel at Nantes, just then put upon the stocks, which did not sail from France 'till the last of February or March, 1778, and cost the public about £15,000 sterling. It was also plan'd, to serve another favorite, to buy an old vessel at Havre de Grace; which, after much expence, and remaining in port several months, was sold, or the property chang'd, at how much loss to the public, I will not pretend to say; and also to serve some other purpose, a large and extraordinary vessel in her construction, was began to be built in Holland, which after costing upwards of 300,000 livres of the public money, was left where she was began to be built, and I believe at this moment has not been fitted to go to sea. From these proceedings, and a multitude of others of a similar, or more glaring nature, it happened that the supplies for the army, which

were ordered in September or October, 1776, were not all even despatched from France 'till February and March, 1778; altho' during that period several millions of public money pass'd thro' the Commissioners' hands; or at least were disburs'd under their directions.

Such proceedings certainly merit public enquiry; and no doubt that will take place, when things are more compos'd than they are at the present. It was many days after my arrival at Nantes, before I coud get a sight of Mr. Morris: but at the first interview he inform'd me of the before mention'd transactions relative to the prizes; which 'till that moment had been conceal'd from me; and complain'd as much of Mr. Deane's conduct in general, as Mr. Deane had before complain'd of him. As I was conscious of having been in Paris before the commencement of this transaction; and had been waiting there during the whole time of its negotiation, under the express advice of Dr. Franklin and Mr. Silas Deane, and to their knowledge ready at any moment to enter on the public business; it appear'd wonderfully strange that neither of these gentlemen had said one word to me on the subject: especially as Mr. Morris inform'd me there had been a considerable correspondence about it. On further enquiry, I found that Mr. Williams, in consequence of his orders, had, with the assistance of some Frenchmen, one of them named Peltier du

Doyer, got possession of some of those prizes, which then remain'd unsold, and continued so when I left Nantes in October; tho' one of them was almost new and a well form'd valuable brig: but wishing to avoid as much as possible entering warmly into the resentments on either side, I only agreed with Mr. Morris on writing a civil joint letter to Dr. Franklin and Mr. Deane, stating some of the injuries to the public that had arisen from Mr. Williams being appointed to sell the prizes, in contradiction to the Secret Committee's instructions to us; at the same time sending an extract from their instructions, with which we presum'd they were unacquainted, otherwise the orders wou'd not have been given to Mr. Williams and Captain Wickes as before mention'd; which we requested they wou'd countermand, that the public business might not be any farther interrupted. To this letter no answer was ever given, nor were the orders it complain'd of ever recalled.*

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*So far from these orders being recalled, Mr. Williams writes thus to Mr. Deane, August 21st, 1777. "I have received your favor of the 18th Instant, and observe that matters relative to ships of war and prizes are to continue as they were." And Capt. Weeks, in reply to a letter from me desiring he would put the prizes into the hands of Mr. Morris and myself agreeable to the Secret Committee's instructions, writes to me thus the 9th of September, 1777, "As to the prizes, they are at the disposal of the honorable Commissioners at Paris, whose orders I have received on this head, and must act in conformity."

The whole of my proceedings while at Nantes have been so often and so fully communicated to the Secret Committee, that it is unnecessary to repeat them here; but it may not be amiss to mention that the only cargoe on the public account that came under my management at Nantes, was 315 barrels of rice, received by the Abigail, Captain Jenne from Charles Town; which vessel was dispatched back again in three weeks; on which inward cargoe and the returns by Captain Jenne, my commission amounted to 1761 livres, 7 sols, which is the whole that I can properly say I have receiv'd for my public commercial agency at Nantes.

'Tis not my business here to say anything about Mr. Thomas Morris; but Mr. Deane says I "was here loudly call'd to regulate certain affairs, which I prudently declin'd." I can only say it was very prudent in him to decline mentioning what those certain affairs were; because he cou'd then have been brought to conviction, as he will be in every thing he has particularly mentioned as a charge against me.

I shall leave these "certain affairs" then with Mr. Deane; being very confident that he cannot easily invent any, in which Congress is concern'd, that I declin'd to regulate when it was in my power. 'Tis too evident to want any proof, that it was my earnest endeavor to regulate the public business in various instances, which has brought

on me Mr. Deane's resentment, as well as the ill will of others of the same character as himself. During my residence at Nantes, besides the before mention'd joint letter from Mr. Morris and myself, I wrote several times to the honorable the American Commissioners at Paris: some of the letters on affairs of consequence; to none of which did I receive any answer. Late in September being advisd by a private letter of my being appointed a Commissioner to the Courts of Vienna and Berlin, I left Nantes the 2d. of October, 1777, to go to Paris. On the 6th of October I saw the Commissioners, who deliver'd me my commission; and, an express just then setting off with despatches to Congress, I had only time to write the following short letter:

To the President of Congress.

5 October, 1777.

Sir:

Your goodness, I trust, will excuse me for requesting the favor of you to inform the honorable Congress of the United States of America that this moment (on my arrival here from Nantes, where I have been discharging the public trust reposed in me by the Secret Committee of Congress), were put into my hands the instructions and appointment of me as Commissioner at the Courts of Vienna and Berlin; but not having had an opportunity of a conference on the subject with the Commissioners here, it is not in my power at present to enlarge on the business, more especially as I am

told that this express is to be immediately despatched. I understand another will be sent in ten or twelve days, by which opportunity I shall write fully. I have only further to entreat that you will assure the honorable Congress of my steady attachment to that respectable body, and to the rights of America, which I shall invariably and on all occasions endeavor to support and maintain.

This letter with the Commissioners' letter to Congress, and those written particularly by Arthur Lee, Esqr, that shou'd have gone by the same conveyance, were stopp'd, or rather stolen, by some person; and tho' Congress has ordered this black transaction to be enquir'd into, yet so many obstacles have been thrown in the way, that the culprit has not been discover'd.

A few days after this (vizt on the 13th day of October, 1777,) I had by appointment, a conference at Passy, with the three Commissioners of Congress at the Court of Versailles, vizt. the honorable Benjamin Franklin, Silas Deane, and Arthur Lee, Esqrs., at which, by my desire, the honorable Ralph Izard, Esqr, commissioner to the court of Tuscany, attended also. At this meeting I laid before the Commissioners the several abuses and mismanagements of the commercial business of Congress, and the disorder that those affairs were then in; which I had found impossible to remedy or rectify; for they arose not so much from the

conduct of my colleague, as from Mr. Williams being appointed to interfere with us in our business, and take out of our hands the sale of prizes, which had been entrusted to us by the Secret Committee: against which appointment Mr. Morris and myself had written a joint letter to Dr. Franklin and Mr. Deane, which they did not answer. I mention'd also the prizes then remaining unsold, and wasting every day in value for want of care: all of which proceeded from the contest about the right of disposing of them; since in that situation no man in his senses would purchase a thing to day of one, which another might take him from to morrow. That the loss in the prizes was not the only injury; for this interference of one, in another's department, had occasioned a spirit of confusion and disorder in every branch of the public business at Nantes, and the neighboring sea ports. At the same time I reminded those gentlemen of my having been at Paris, waiting under their advice, at the very time that this appointment was given to Mr. Williams, which they had conceal'd from me; which surpriz'd me greatly; but that I was still more surpriz'd at the joint letter of Mr. Morris and myself on the subject not having been answer'd. However, as I did not know of any urgent reason for my immediate departure for Vienna and Berlin, and as I was always anxious to do everything in my power for the interest or ad-

vantage of my country, I was willing to return to Nantes, and endeavor to reform and regulate for the future the Commercial Business of Congress, before I went to Germany; provided they wou'd immediately recall the orders given to Mr. Williams, which had been complained of; and give me all the assistance which their influence as Commissioners enabled them to do; not only to correct my colleague, but to obtain a settlement of the public accounts from those persons, who had been before entrusted with the public property; and that I was very certain, if they wou'd do this, the public business might be put in a regular and orderly train; when it wou'd be very easy to obtain credit for Congress to a very considerable amount.

To this Dr. Franklin principally reply'd. He said, that for his part he wou'd not interfere in any manner with respect to my colleague Mr. Morris, altho' he was fully sensible of his misconduct, for they had already written to Congress about it; for which he had got a *rap over the knuckles* from Mr. Morris's Brother, Robert Morris, Esqr, Chairman of the Secret Committee, who had used very disrespectful language relative to him, in a letter he had written to Mr. Deane; but the orders given to Mr. Williams about the prizes shou'd be immediately recal'd; and that an answer had been written to the joint letter from Mr. Morris and myself, *but something had intervend which had prevented its*

being sent. This was all the excuse he made for not answering the joint letter; nor did he make any excuse for not answering my own letters. Mr. Deane propos'd the absolute suspension of Mr. Morris, which the other two Commissioners did not think they had any right, or authority to do. After this Conference, I waited about a fortnight (which time was employ'd in getting Mrs. Lee and my family from England) expecting to receive from Dr. Franklin and Mr. Deane the revocation of the orders before given to Mr. Williams; but not receiving it, and understanding by report, that the subject of the conference had given great offence to those Gentlemen, I gave over all thoughts of taking any further active part in the Commercial business, and apply'd my attention to that of a Commissioner at the Courts of Vienna and Berlin.

I therefore apply'd in person to Dr. Franklin for a Copy of the Treaty, that had been propos'd by Congress to the Court of Versailles, conformable to the Instructions I had receiv'd with my Commission. This he promis'd I shou'd have in a few days; but, waiting a considerable time and not receiving it, I thought proper to write the following letter, which was deliver'd to Dr. Franklin, at Passy:

HONORABLE BENJAMIN FRANKLIN, SILAS DEANE AND ARTHUR LEE, ESQRS, COMMISSIONERS FROM THE UNITED STATES OF AMERICA TO THE COURT OF VERSAILLES.

CHAILLOT, 10 November, 1777.

Gentlemen:

In consequence of the Instructions to me from the Honorable Congress of the United States of America, I am to request that you will be pleas'd to furnish me with a Copy of the Treaty originally propos'd by Congress to be enter'd into with France; together with the subsequent alterations which have been propos'd on either side. As my instructions came inclos'd to you for perusal and delivery, you cannot be strangers to their Contents; therefore shall be particularly oblig'd by your giving me any information that you think will tend to forward the wishes of Congress, in appointing me their Commissioner to the Courts of Vienna and Berlin; especially, that you wou'd advise which of those Courts it wou'd be most proper for me to visit first. You having told me that Congress has omitted to direct what fund is to supply my expences and appointment, I have only to request on that head, that you will be so good as to take notice of that omission in your next despatches. I am, &c.

To this letter no written answer was ever given: but some days afterwards meeting Dr. Franklin in Company, he told me that I shou'd have a copy of the Treaty as soon as it cou'd be got ready; however, this Copy I did not receive until the 12th of January, 1778. In the meantime I was employ'd in negotiating the public business by

Correspondence with the Prussian Minister at Berlin, the substance of which has been communicated to Congress in Letters, which have been receiv'd. It is to be observ'd, that the advice of General Burgoyne's Captivity, with that of his Army, did not arrive at Paris till the 4th of December, 1777 ; so that the preceding letter, and the Conference before mention'd with all the Commissioners in October, &c., is a full answer to Mr. Deane's charge against me of remaining inactive in Paris during the months of October and November. If there was anything criminal in my staying in Paris for those two months, 'tis evident that the Commissioners are culpable, and not me.

I hope to be excused for observing here, that in August and September we had advice of General Burgoyne's taking of Ticonderoga, and being at Fort Edward ; which in the minds of most people look'd ominous against America, and certainly influenc'd the conduct of the French Ministry in putting Mr. Hodge, a Gentleman from Philadelphia, into the Bastile ; tho', perhaps, on enquiry into this business, the principal blame will be found to ly on Mr. Deane. Notwithstanding these unfavorable appearances, I left Nantes the beginning of October, in a few days after receiving advice of my appointment as a Commissioner, and was as active, during the months of October and November, as I was permitted to be, by the Com-

missioners at Paris ; altho' during that period, we had from time to time accounts of General Howe's landing at the head of Chesapeak-Bay, the battle of Brandywine, and his getting possession of Philadelphia : all which when fairly consider'd, proves in the clearest light, the injustice and malignity of the insinuation, that my conduct in the service of my Country, was directed by Events and not by principle.

Having received a copy of the Treaty the 12th of January, 1778, I requested a conference with the Commissioners at the Court of Versailles, to settle with them the articles that might be proper for me to propose to the Courts of Vienna and Berlin; this Conference I obtain'd on the 16th of January; and as the treaties with France were then settled, and only waited for copying to be sign'd, I thought it adviseable not to leave Paris before that ceremony was over; of which I have repeatedly advis'd Congress. It must be observ'd that during the whole time of my being in Paris, no letters, nor anything relative to the commercial business of Congress, was communicated to me by Mr. Deane, (tho' he continually carry'd on a considerable correspondence on that subject) until the first of February, 1778, while I was waiting only for the signing of the Treaties with France, in order to depart for Germany, which Mr. Deane knew perfectly well; but on his receiving a letter from Nantes, from

Mr. John Ross, advising him of the dangerous state of Mr. Thomas Morris, he immediately sent it to Mr. Arthur Lee, desiring him to communicate it to me; and on the 3d of February, receiving a letter of advice of Mr. Morris's Death, he sent it to Dr. Franklin, desiring him to communicate it to me also; which was done. As Mr. Deane was well inform'd that I had for some time given over all thoughts of being further concern'd with the commercial business, and that this resolution had taken place for the reasons before mention'd, and because he had assum'd almost entirely to himself the direction of that department (which I can prove by letters to him and from him) I was surpriz'd at this repeated application, and must confess, that my own Judgment directed me not to meddle with the business in any manner. For knowing the characters that were then acting in the direction and management of the Commercial business of Congress, I foresaw the Consequences that did happen, and that it wou'd be impossible for me in the then situation of persons and things, to render the public any very essential services.

However, submitting my own opinion to the judgment of others, I undertook to postpone my journey to Germany, and go to Nantes in order to try to put the Commercial business under some tolerable arrangement before I left France. The whole of my proceedings on this occasion have

been communicated to the Secret Committee, which they, or at least their Chairman, have been in possession of many months; and also of the Copies of the letters, that pass'd between me and Mr. John Ross and others on the occasion: therefore it is unnecessary to repeat them here, as full information may be had by referring to those letters now in possession of the Secret Committee; but I think it will appear evidently, from Mr. Deane's before-mention'd publication, that this latent design, in having communicated to me the death of Mr. Morris, was to treasure up a charge of negligence against me, if I did not undertake the business, and if I did, knowing from Mr. Ross's first letter of advice that he expected to be put into possession of all the papers of Mr. Morris, and intended to take upon himself the management of the public concerns, which I cou'd not agree to; it was more than probable, that a difference wou'd arise between me and Mr. Ross, who being patroniz'd by Robert Morris, Esqr, wou'd find support, and aid Mr. Deane in the Schemes, 'tis now prov'd he had long plan'd and been executing to injure me.

I come now to the last, and most positive charge which Mr. Deane makes against me in his Address to the Public; vizt.—that before I departed from Paris, I had appointed sundry Commercial Agents at the several ports, and in one Instance remov'd

the person, (vizt Mr. Williams before mention'd) who had faithfully done the public business for 2 per cent., in favor of another, who is to receive 5 per cent., of which, as well as the like Commission at other places, I receive a share.

To this bold and untrue assertion, the following facts will fully answer. It is proper to observe here that the promise which Dr. Franklin and Mr. Deane gave early in October, 1777, as before mention'd, of recalling the orders to Mr. Williams which Mr. Morris and myself had complain'd of, was not comply'd with; at least it was not the 16th of December, 1777, because Mr. Williams expressly says so, in a letter from him of that date, address'd to the Honble American Commissioners at Paris; and Dr. Franklin, so far from recalling those orders, as he had promis'd, writes thus to Mr. Williams:

PASSY, 22 December, 1777.

Dear Nephew:

You need, however, to be under no concern as to your orders being only from Mr. Deane. As you have always acted uprightly and ably for the public service, you wou'd be justifyd if you had no orders at all. But as he generally consulted with me, and had my approbation in the orders he gave, and I know they were for the best and aim'd the public good, I hereby certify you that I approve and join in those you receiv'd from him, and desire you to proceed in the execution of the same. I am ever your affectionate uncle

(Sign'd) B. FRANKLIN.

After the business about the late Mr. Morris's papers had been settled, by leaving them all seal'd up in the possession of Dr. Franklin, I wrote the following letter, which was deliver'd to Dr. Franklin at Passy:

CHAILLOT, 6 March, 1778.

Gentlemen:

In conformity to the general instructions of the Secret Committee that you shou'd be consulted and advis'd with in all important cases relative to their Commercial affairs, and Mr. Thomas Morris, joint Commercial Agent with me, being now dead, and as I am just on the point of setting out for Germany; I think it expedient to advise you, that in order to prevent the business of the Secret Committee from getting into improper hands, I intend to appoint persons in the different ports of France to take care of any remittances, vessels, or cargoes that may arrive on account of the Secret Committee, until their farther pleasure is known. For this purpose I think of appointing Messrs Lloyd and Jonathan Williams for the port of Nantes, and the other ports of Brittany; Messrs. S. and J. H. Delap at Bordeaux; Mr. Andrew Limozin at Havre, the two last Houses being strongly recommended by the Committee; and Mr. John Bondfield for the ports of Rochelle, Rochefort, and Bayonne. These three ports I put under the same direction, because it is not probable that many vessels will arrive at them, and the accidental ones that do arrive there, will not be more than Mr. Bondfield can easily manage. I shall be happy to find that this arrangement meets

your approbation: but if it does not, be pleas'd to point out any alteration you wish to have made; and due attention shall be paid to it.

I have the honor to be, &c.

Signed, W. LEE.

Hon. Benjamin Frankin, Silas Deane and Arthur Lee, Esq^rs Commissioners from the United States of America in France.

I thought it a lucky circumstance for the public, that such a Gentleman as Mr. Lloyd was in France, to undertake the Committee's business; a merchant of respectable character, who had early in the present war quitted England with his family, to settle at Nantes, and carry on a Commerce to his own Country, South Carolina, in which State he holds considerable property. Consequently I propos'd to him to undertake the business, which he positively declin'd; unless it cou'd be done with the full approbation and countenance of the American Commissioners at Paris; in which case he wou'd readily undertake it; and he suppos'd the most likely way to obtain that approbation and countenance wou'd be to join Mr. Jonathan Williams in the appointment with him; who being an active young man, might be of considerable assistance to him: as his uncle, Dr. Franklin, and Mr. Deane, had already employ'd him in laying out a great deal of the public money, he imagin'd their favor and protection wou'd be continued to him;

and therefore without his being join'd in the appointment, it was probable the same distractions and divisions wou'd be continued in the public business, which had already prevail'd to the very great detriment of America; and in that case, he cou'd not agree to be in any manner concern'd. I mention'd therefore to Mr. Williams, that I had a design of appointing him in conjunction with Mr. Lloyd, Commercial Agent at Nantes; to which he reply'd that he shou'd be intirely directed by the advice of Doctor Franklin. Things were thus situated when I wrote the foregoing letter to the Commissioners: to which Dr. Franklin deliver'd me his answer himself at Chaillot the 10th of March, 1778, in the afternoon, in a letter dated thus:

PASSY, 6 March, 1778.

Your proposition about appointing agents in the ports shall be laid before the Commissioners when they meet. In the meantime I can only say, that as to my Nephew Mr. Williams, tho' I have, from long knowledge and experience of him, a high opinion of his abilities, activity and integrity, I will have no hand in his appointment, or in approving of it; not being desirous of his being any way concern'd in that business. And the other gentlemen I know so little of, that I can have no objection to them, but I do not see that I have anything to do with their appointment.*

* Franklin complained that Lee's agents and the captains of vessels were continually writing to him on matters of which he

It is to be observed that Passy is about half a mile distant from Chaillot. I must confess that I never cou'd see the propriety of this refusal of Dr. Franklin to agree to the appointment of his nephew, Mr. Williams, and his *apparent* delicacy on the subject; as I knew he had employ'd, and was then employing him in the commercial business of the public to the amount of above a Million; as will appear by Mr. Williams' accounts, and Dr. Franklin's letter to him before mentioned, of the 22d of

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was ignorant. "I see clearly that many of the captains are exorbitant in their demands, and in some cases I think those demands are too easily complied with by the agents, perhaps because the commissions are in proportion to the expense. . . . The commissions demanded by the agents seem to me in some cases very high. For instance, Mr. Schweighauser, in a late account, charges five per cent. on the simple delivery of the tobacco to the officer of the farmers-general in the port, and by that means makes the commission on the delivery of the two last cargoes amount to about six hundred and thirty pounds sterling. As there was no sale in the case, he has, in order to calculate the commission, valued the tobacco at ninety livres the hundred weight; whereas it was by our contract with the farmers, to be delivered at about forty livres. I got a friend, who was going upon change, to inquire among the merchants what was the custom in such cases of delivery. . . . In consequence, I refused to pay the commission of five per cent. on this article; and I know not why it was, as was said, agreed with him at the time of his appointment, that he should have five per cent. on his transactions, if the custom is only two per cent., as by my information." *Franklin to the Committee of Foreign Affairs*, 26 May, 1779. The charge was abated to two per cent.

December, 1777; and had by one single order given him authority to draw on the public Banker for half a million of money.

Mr. Deane gave me his answer as follows:

PASSY, 11 March, 1778.

Sir:

I can have no objection to the Persons you propose appointing to act under you in the Commercial Agency, nor can I take any active part in that affair.

Thus disappointed in the plan of having Messrs. Lloyd and Williams appointed Commercial Agents at Nantes, with the approbation and countenance of the American Commissioners, I had no other resource than to refer to the recommendation of the Secret Committee, and that was, to Mr. J. D. Schweighauser, who (among all the Cabals at Nantes, and the number of wicked insinuations and private slander of almost every Person in any manner concern'd there with American affairs) has maintain'd a clear and unsullied reputation, and was highly esteem'd by all the Americans who were, or had been at Nantes.

I shall proceed then, to give Copies of my Letters of appointment to the several Agents, asserting here what I have already made oath to, that I did not in any manner whatever, demand of either of the said Agents to receive a part or share of the Commissions that they might get, in consequence of my appointment, and that I have not received,

nor do I expect ever to receive, directly or indirectly, any Commission, gratuity, or reward whatsoever from those Agents on account of that appointment. And I will further assert, that what Mr. Deane charges (untruely) to me as a crime, was actually done by Mr. Williams, Dr. Franklin's nephew, whom he speaks of in the highest terms of commendation. I can prove by Mr. Williams's own letter that he agreed with Mr. Thomas Morris to do the public business and charge 5 per cent., which they were to share between them, and Mr. Williams's accounts since render'd to the American Commissioners at Paris, will shew that he has actually charg'd and received 5 per cent. Commission on that business.

TO MR. ANDREW LIMOZIN, AT HAVRE DE GRACE.

PARIS, 21 March, 1778.

Dear Sir:

I duly receiv'd your esteem'd favor of the 13th instant, and note the contents. By the death of Mr. Thomas Morris, the Commercial Agency for the Secret Committee of Congress has fallen on me alone; and I am happy in conformity to their recommendation, in appointing and authorizing you, as I do fully by this letter, to take up and dispose of such vessels and Cargoes as may be lucky enough to arrive at your port, in which the said Secret Committee may be interested, whether address'd to me solely or to Mr. Thomas Morris and myself as joint Commercial Agents; always taking care to advise the Committee of your proceed-

ings, and giving the American Commissioners at Paris notice when any vessels arrive at your port in which the Committee are interested. I sincerely wish that you may have frequent occasions of showing your continued attachment to the interest of America in general and to that of the Secret Committee in particular. I am, &c.

(Signed) W. LEE.

TO MR. JOHN DANIEL SCHWEIGHAUSER, NANTES.

PARIS, 21 March, 1778.

Sir:

I was duly honor'd with your esteemed favor of the 11th current and note the contents.

As the superintendence of the Commercial Concerns of the Secret Committee of Congress has devolv'd on me solely by the death of the late Mr. Thomas Morris, I am happy in pursuing their recommendation by appointing you to take up, and dispose of any vessels or Cargoes that may arrive in the port of Nantes or any other port in Brittany, on account of said Committee; requesting you always to govern yourself in this Agency conformable to such Instructions, or advice as you may receive with such vessels or Cargoes; whether they are address'd to me solely, or to Mr. Morris and myself as joint Commercial Agents; and that you may be fully inform'd on that head, you are hereby authorized to open any letters that may come to your hands, directed to me only as Commercial Agent, or to Mr. Morris and myself as joint Agents for America. In order to prevent as much as possible any interference with you, or any interruption in this business, I enclose

you a certificate, and a letter from the Chairman of the Committee, dated February the 3^{d} 1777, to shew my authority, if any one shou'd entertain a doubt about it.

You will please to give the Committee regular advice of your proceedings, and also give the American Commissioners at Paris advice whenever any property arrives in which the Committee is interested. Shou'd any cargoes arrive in the above mention'd ports address'd to me, being private property, you will please to dispose of the same in the best manner you can for the interest of the concern'd, and follow their directions in making returns for the same. Be so good as to forward any letters that may come to your hands, directed for me, to Mr. Grand, Banquier in Paris.

I have no doubt of your conduct in this agency giving entire satisfaction to all parties concern'd, and wishing you success therein,

I have the honor, &c,

(Signed) W. Lee.

MR. JOHN BONDFIELD, BORDEAUX.

Paris, 21 March, 1778.

Sir:

As the Commercial Agency for the Secret Committee of Congress has devolved solely on me by the Death of Mr. T^{s} Morris, and having a good opinion of your abilities, industry and integrity, I am induced to request you will take upon yourself the management of any vessels, and the disposal of such Cargoes, as may arrive in the Ports of Bordeaux, Bayonne, Rochelle and Rochfort, belonging to said Committee, in which they are interested or concern'd; hereby authorizing

and impowering you to act in all such Cases as fully as I cou'd do, if personally present; always wishing you to attend closely to such Instructions or advice as you may receive with said vessels or Cargoes, whether address'd to me solely or to Mr. Morris and myself jointly. And that you may be fully inform'd, you are farther authoriz'd to open any letters that come to your hands directed to me solely as Commercial Agent, or to Mr. Morris and myself as joint Agents. The House of Messrs S. & J. H. Delap formerly did business for the Secret Committee, but the enclos'd letter (which you will please to deliver) will shew the reason of the alteration, and to facilitate your operations for the benefit of the concern'd, I have thought it advisable to inclose you a certificate; also a letter from the Chairman of the Secret Committee, Robert Morris, Esqr, which will fully shew my authority, and consequently that under which you are to act. I wish you to give the Committee the earliest advice of this arrangement, and on all future occasions that you wou'd advise them of your proceedings. It will be proper to inform the American Commissioners at Paris, when any property arrives in which the Secret Committee is interested. I have not the least doubt of your giving entire satisfaction in whatever is committed to your care, and wishing you both ease and success in the management.

I am, &c.,

(Sign'd) W. Lee.

The Secret Committee were informed by letter from me dated March 23d, 1778 (which they have

receiv'd) of these arrangements being made, only until they shou'd give further orders therein; also of the reason why the House of Messrs. S. & J. H. Delap was omitted at Bordeaux; tho' I had acted upon my own judgment alone, there was another much more forcible reason with me for such omission; which being mention'd to Dr. Franklin, on my first coming to France, and he to Mr. Deane, the latter, I understood, had prevail'd on the former, to think that my Information was not well founded; (the private connections between Mr. Deane and that house were too publickly known to require mentioning by me;) therefore I submitted; and that house seem'd to grow afterwards into higher favor with those Gentlemen, than it had been before. I had never the most distant private connection or correspondence with this house, nor the honor of being acquainted with any one of the partners: therefore my conduct cou'd not possibly arise from personal motives. However, to avoid all misconception 'tis proper to add a Copy of my letter to that House, which was enclos'd to Mr. Bondfield.

MESSRS. S. & J. H. DELAP, BORDEAUX.

Gentlemen:

I wrote you from Nantes the 14th ultº advising you that by the Death of Mr. Thomas Morris the Commercial Agency for the Secret Committee of Congress had fallen on me alone, and desiring you wou'd favor me

with your account current against said Committee, with account sales of such goods as you had receiv'd on their account: To this letter you have not been pleas'd to favor me with any answer, therefore conclude you do not chuse to act any farther for said Committee; consequently by virtue of the powers vested in me by said Committee, I have authorized Mr. John Bondfield, who will deliver this, to take up, and dispose of such Cargoes or Vessels as may arrive at Bordeaux on account of said Committee, or that may be address'd to me solely, or to Mr. Morris and myself as joint Commercial agents. This I think it proper to give you due notice of, not doubting that you will act in conformity.

I am, &c.,

(Sign'd) W. LEE.

I have now given a plain and unvarnish'd account of all my conduct in the Public Service, relative to their Commercial Affairs, the Truth of which I am ready to verify on oath; besides being possess'd of the original writings and testimonials, that prove the most material parts: which shall at all times be open to the perusal of proper persons; yet still I think it expedient to mention that Congress did on the 9th of February, 1778, before the date of the above mention'd appointments, resolve, that the Committee of Commerce shou'd write to the Commissioners at the Court of France, desiring them to appoint commercial agents; the Commercial Committee did write to the Commissioners

accordingly on the same day, which letter was received in France, some time in May or June; since which time I have not had any concern with that department; if there had been any sufficient ground for altering the appointments I had made, there can be no doubt but that they wou'd have done it long since. In September, 1778, I heard that the same dark agents, who had long been employ'd in traducing every person that had been employ'd in the affairs of America, unless he was of their society, commenc'd an attack on the character of Mr. Schweighauser, and his son-in-law, Mr. Dobrée, which began by dropping anonymous and undirected letters on the tables of the Commissioners, full of charges and insinuations against these Gentlemen; at length one of these Letter droppers, being discovered, was called upon for the Author, which he refused to give up; however the charges I have understood, have been enquired into, and I suppose the issue of that enquiry has been communicated to Congress by the Commissioners; but I must beg leave to add here extracts of a letter to me from John Lloyd, Esqr, and of a certificate sent to the American Commissioners at Paris on this subject by Daniel Blake and John Lloyd, Esq^{rs}, of South Carolina; where they both have considerable Estates, and are well known to be gentlemen of the highest Integrity, honor and good sense.

NANTES, 19 September, 1778.

The unjust, base and villainous attack made upon Mr. Dobrée and Mr. Schweighauser must have originated in hearts capable of the blackest crimes; and those who countenance such assassin-like proceedings, are not in my opinion less culpable.

(Signed) JOHN LLOYD.

NANTES, 19 September, 1778.

Being informed that some malicious person or persons, hath been, and are still endeavoring, by the most infamous means, to deprive Mr. J. D. Schweighauser of his good name, and being apprehensive that the intention is to prejudice him in the estimation of the Honorable Commissioners; we think it an act of justice due to injur'd merit to acquaint you, that we have employ'd, and are now employing that Gentleman to transact for our friends and ourselves to a very large amount. The satisfaction that they and we have received from his assiduity, honor and integrity, will induce us to pursue every means in our power, after our arrival in America, to serve him; being confident that as a merchant he most justly deserves public and private confidence. He has had, and continues to transact, a very considerable part of the business to and from America; and we have always heard the Americans, who have had any connection with him, speak of him in the most respectful terms.

(Signd) DAN^{L} BLAKE,
JOHN LLOYD.

These certificates, given six months after my appointment of Mr. Schweighauser as one of the

Commercial agents, by gentlemen who were on the spot to see and judge for themselves, are surely a full vindication of my choice, had I not been authorized to make it by the Committee's recommendation, which was strengthened by my own observation and Judgment.

Nowadays it seems to be the mode to circulate dark and wicked insinuations, by whispering in corners, and by anonimous Letters, and when the plot is sufficiently ripe, the insinuations are converted into *stubborn and undeniable facts*, and the anonymous Letters into proof as clear as that of holy writ: But whether these charges and insinuations against Mr. Schweighauser or his son-in-law, be true or false, let the accus'd answer for themselves: but I will observe that the accusations, and even the subject of them, are of a date long after my appointment of Mr. Schweighauser, and long after the Commercial Agency was taken out of my hands by Congress. Indeed I have been informed that the direct attempts to blacken the character of Mr. Schweighauser, who was the only agent appointed by me at Nantes, were soon given up, as it was found to be rather too arduous an undertaking; but the indirect attempts were continued, thro' the medium of his relations with his son-in-law. These relations being charged by hearsay, with enmity to America, it was infer'd that Mr. Dobrée was guilty, and as surely his father-in-law,

Mr. Schweighauser, must be guilty also. 'Tis very certain that there is something very curious in this mode of accusation; but I wonder these accusers do not recollect the case of Dr. Franklin (whom they and Mr. Deane extol to the skies, and who is absolutely trusted by Congress), and his only son, Governor Franklin, whose former and present conduct is too notorious in America and even in Europe to need mentioning here.

It is now made evident that every positive charge which Mr. Deane has brought against me, is not only unfounded, but directly the reverse of truth; and it is somewhat curious that the only thing which he mentions as being *doubtful*, happens to be a truth: this is, that I *might* be an alderman of London at the time he was writing his letter. The fact is, I was then an Alderman of London, and, as far as I know, am one at this moment.

As soon as I got my family from England, I wrote to one of my Common Council, saying that I was ready to resign my Gown, as soon as my constituents were ready to receive it. The answer was, that the majority did not wish me to resign it. I wrote several times to the same purpose, and receiv'd the same answers: when at length I determined to wait no longer, and on the 13th of November I sent my resignation in form, but this not getting to hand until the 22^{d} or 23^{d} occasiond the proceedings at the Wardmote, the 21st December

(last St. Thomas's day) which having been publish'd in almost all the London papers, it is unnecessary for me to repeat here. Although my constituents have been actually in possession of my resignation ever since December last, they have not yet thought proper to make use of it, because they say, they wish to find a successor to fill my place of sound old whig principles; for which, it is certain, they honor'd me with their Choice. One of the Common Council in last month (vizt Feb. 1779), wrote to me thus: "It is certainly the wish of my brethren and self that the resignation shou'd not be made until we request it, i. e., supposing you are no ways injur'd by this." The injury must be very great indeed, that will induce me to be guilty of ingratitude to men, who have not only honor'd me by their choice, on the noblest principles of liberty, but have even shown themselves warmly attach'd to the Cause of America. I speak of a great majority of my Constituents; for which reason I think it a duty incumbent on me to let them proceed in their own business as they judge right; and in this I am confident, that every honorable and impartial man will accord with me.

I have the honor to be,
with the greatest respect,
your Excellency's most obedient
and very humble serv^{t}

W. Lee.

Frankfort on the Mayn in Germany, March 8th, 1779.

HIS EXCELLENCY PRESIDENT JAY AT CONGRESS.

PARIS, March 16th, 1779.

I have just had communicated to me the copies of two letters from Mr. Silas Deane, address'd to Mr. President Laurens, dated Philadelphia, October 12th 1778, and a separate paper relative to the 11th and 12th articles in the Treaty of Commerce, between his most Christian Majesty and the United States of America; in which letter, so far as respects me personally, he has asserted nearly the same groundless charges as in his letter to the public, which have been already so fully reply'd to, and prov'd to be utterly repugnant to truth. Had Mr. Deane made these very extraordinary assertions only once, he might have had some shadow of excuse, tho' it is a very bad one, by pleading a weak memory; but a deliberate repetition of them, after an interval of time amply sufficient for recollection, shews a heart and designs of such a complection, that all good men shou'd avoid and guard against. Mr. Deane concludes with the following assertions by way of summary of all he had before advanced:

1st That I never had a Commission to the Commercial Agency. What Mr. Deane may stile *a commission*, I do not know; but he knew by a letter to himself from Mr. John Ross in July, 1777, of which he knows I have a copy, that I had as sufficient authority to act in the Commercial Agency as Mr. Thomas Morris, and that I did act in that de-

partment accordingly. But if Mr. Deane knew I was not Commercial Agent, how can he palliate so bold and daring an imposition on his most Christian Majesty and his Ministers, as to represent me in that character to them; which he did do in the letter sign'd by him to his Excellency Count de Vergennes, in February, 1778, representing that the late Mr. Thomas Morris's papers might be put in my possession, as then being the sole Commercial Agent of Congress. But indeed we ought not to be surpriz'd at any imposition whatever on the part of Mr. Deane, when he impos'd himself on the King of France, his ministers, and the whole world as a Commissioner of Congress on the 20th of March, 1778, when he confesses that on the 4th of that month he received a resolution of Congress recalling him to America. I also refer for his conviction to the Letters and proceedings of the Secret Committee.

2dly. Mr. Deane says: "Mr. Lee's caution was such, that he never even answer'd my letters to him in February or March, informing him that Mr. Robert Morris had written to me, that he was appointed; nor did I hear anything from him of his intentions until he arriv'd at Paris the summer following, where also he acted with the greatest caution, while he waited the return of his brother from Berlin." One cannot here omit observing the studied latitude of expression. Mr. Deane

talks of his letter in *February* or *March*, and that I came to Paris in the *summer* following. Will Mr. Deane say how many letters he wrote? I never saw or heard of but *one*. Will he please to say whether that one letter was dated the 1st or February or the 31st of March? for the difference of *two* whole months makes a very material alteration in the consequence he means to draw from the assertion. I will answer, that his only letter is dated the 30th of March, tho' he acknowledges his having receiv'd a *notification* from Mr. Robert Morris in February of my appointment; and at the same time was desir'd to give me information *immediately* of it. It has been also prov'd by Mr. Deane's letter to Mr. Williams on the same day, vizt March 30th, that he was plotting a contention and rivalship in this Department long before it was possible for him to know my determination on the subject. Again, will Mr. Deane specify what time in the *summer* I arriv'd at Paris? because here it is left to be understood, either the first day of June or the last day of August; which makes a still greater difference than the former expression. I I will assert, what I can prove, that I arriv'd in Paris the 11th of June; and that besides receiving a letter from me himself in the month of *May*, he was personally told by my Brother, Arthur Lee, by my desire, in the beginning of May, that I wou'd come over as soon as possible to execute my ap-

pointment; and so far from waiting in Paris for my Brother's return from Berlin, it has been prov'd already, that I waited by the express advice of Dr. Franklin and Mr. Deane until the 31st. of July, 1777, as their letter to me of that date will shew; which was nine days after my Brother's return from Berlin to Paris.

The manner in which Mr. Deane sent me the letter informing me of my appointment, join'd with what is now manifest, a form'd design in him and Dr. Franklin to make Mr. Williams (nephew of the latter, and who now appears connected with the former in private mercantile business) commercial agent in opposition to the Secret Committee's appointment, renders it evident that he expected either the interception of that letter, or of my answer, wou'd have subjected me to imprisonment and secur'd their plan. It is this disappointment that makes Mr. Deane so outragious against me, for not having committed so great an act of Imprudence, situated as I was, as to be writing to him by the post upon such a subject. That this scheme of Mr. Deane might be more effectual, notice of my appointment was circulated upon the Royal Exchange in London, before I receiv'd Mr. Deane's letter; and not long after, it was publish'd in the newspapers in authentic letters written from Paris. Now, as Mr. Deane acknowledges that *he* receiv'd the letter announcing my appointment, it must

have by *him* that others were enabled to write and publish it to all the world; while my *Life*, *Liberty*, and *property*, were at stake. It is hardly in charity to believe, that these were not the intended victims of Mr. Deane's conduct.

3ly. He charges it as a crimes, that I was circumspect in my conduct, on my first coming to France, for fear of prejudicing my interest in London.

Will any man in the world call circumspection a crime, where ostentation wou'd have been not only useless, but highly ridiculous, and when my family, and nearly the whole of my property in Europe, were in the power of the enemy?

I have in the former part of this narrative shewn, that my urgent desire of serving my country, and its glorious cause, had induc'd me to quit England so hastily, as to leave behind me Mrs. Lee not recover'd from her lying in (which event was daily expected when Mr. Deane's letter was receiv'd) my children, House, Furniture, and property to the amount of many thousand pounds sterling; the greater part of which has been with held from me, in consequence of my coming away. It is some what curious to observe that almost in the same breath, Mr. Deane brings a heavy charge against Mr. Arthur Lee for being ostentatious in his proceedings, and as heavy a one against me for conducting mine with caution: but this is among the

least of his inconsistencies and contradictions of himself.

4thly. Mr. Deane says: "So far was he (meaning me) from ever executing or publickly attempting to execute that Agency until after the news of General Burgoyne's defeat had arriv'd in France, that he did nothing that ever I heard of, which cou'd have prevented his returning to the exercise of his Aldermanship of London."

If anything could astonish me that comes from Mr. Deane, surely here is abundant matter for astonishment. He had just before, from under his own hand, on the very same paper, acknowledg'd my having attempted to exercise that appointment, in the joint letter from Mr. Thomas Morris, and myself as Commercial agents, to himself and Dr. Franklin in August, 1777, which he calls *severe;* but which I aver, is a very civil one, and that it does not contain a single harsh or offensive expression. He acknowledges also the conference I had with all the Commissioners in France, in October, on the subject of the Commercial business, when Mr. Izard was present. He knew also that I had receiv'd a cargoe publickly at Nantes, belonging to Congress, by the Abigail, Capt Jenne; which vessel was loaded again by me, and despatched back for America in three weeks; while other American vessels of no greater size, or importance, were detain'd at Nantes from two or three months. He

knew also, or ought to have known, that I had written a letter address'd to all the commissioners, Dr. Franklin, Mr. Deane, and Mr. Arthur Lee, on the 10th of November, 1777, which was deliver'd to Dr. Franklin as eldest commissioner the same day; wherein I requested a copy of the Treaties that had been proposed to the Courts of France and Spain, agreeable to my Instructions from Congress, that I might not as a Commissioner of Congress, propose any thing repugnant thereto, to the Courts of Vienna and Berlin. After these things, and a continued series of operations in the public service (all of which Mr. Deane was acquainted with) from the time I was permitted to act by himself and Dr. Franklin until the 4th of December, when the news of General Burgoyne's defeat arriv'd at Paris: with what face cou'd Mr. Deane make such an assertion as he has done? Most of these things also, being of public notoriety, and capable of being prov'd by a multitude of witnesses; can any one suppose Mr. Deane so totally ignorant of the Laws of England, as to imagine he cou'd think I might return "to the exercise of my aldermanship of London," without being a madman desirous of hanging himself.

This Gentleman attempts to excuse himself and Dr. Franklin for not answering the joint letter of Mr. Morris and myself, by laying the blame on Mr. Arthur Lee; not a syllable of which was men-

tion'd at the conference I had in October, 1777, at Passy, with all the Commissioners, when Mr. Izard was present; and which Mr. Lee has answer'd himself; but he omits to say why my several letters from Nantes, as Commercial Agent, on public business, to the Commissioners, were not answer'd, and of which I not only complained at the Conference, but since. In order to invalidate what Mr. Izard has written, he totally misstates the purport of the Letter, which Mr. Izard complains of Dr. Franklin and Mr. Deane's refusing to write. This letter, as desir'd by me, was a general one to all Captains and others, informing them that I was a Commercial Agent of the Secret Committee of Congress, and that in consequence they ought to follow my directions and orders, in all matters relating to the Commercial business of the Committee.

So far from my proposing the suspension of Mr. Morris, I never thought the Commissioners had the least shadow of authority to do it. 'Tis certain that Mr. Deane not only propos'd the suspension of Mr. Morris at this Conference, but at several other times. As a confirmation of this assertion I beg leave to give the following extract from Mr. Deane's letter to me, dated

PASSY, 18 December, 1777.

My advice before your appointment (as was well known) was to supercede Mr. Morris, and appoint an-

other, until the pleasure of Congress shou'd be known. I was always of the same opinion after your appointment, that you ought to conduct the business alone; these are well known to have been my uniform sentiments.

With regard to the 11th and 12th Articles of the Treaty of Commerce, 'tis certain that I did not speak to Mr. Deane about them; because his conduct has been such, on almost every occasion, that I had determin'd never to speak to him singly on any public business whatever; but I spoke to Dr. Franklin largely on the subject, and surely Mr. Deane cannot forget that when a proposition was made to him and Dr. Franklin, by desire of Mr. Izard and myself, that we might have a conference with them on those articles, they rejected the proposition with contempt and with insulting terms.

Mr. Deane labors much to throw an odium on me, as wishing to monopolize to myself the places both of honor and profit. Probably from the weakness of his memory, he forgot that in the Commencement of his address to the public he states that before September, 1776, he "had the honor to be the *Commercial* and *political* agent of America in Europe." He also forgets that the first cause of any difference between us was his usurping the exercise of the Commercial agency, to which Mr. Morris and myself were appointed by the Secret Committee, while he was not only one of

the Commissioners to the Court of Versailles particularly, but generally authoriz'd to that with every power in Europe—the influence and patronage of which very extensive commission, he was perpetually endeavoring to retain entirely to himself. He also seems to be ignorant of what, I suppose, is known to most people in Philadelphia, that his "Venerable Friend," as he calls him, Dr. Franklin, is at this moment, not only *sole* Minister Plenipotentiary to the Court of Versailles, but also in fact, *sole* superintending Commercial Agent in all Europe.

I have the honor to be with the greatest Respect and consideration your Excellencies Most Obdient & Most Hble Servt W. LEE.

*His Excellency Mr. President Jay at Congress.**

*Endorsed. William Lee's vindication in answer to the publication Dec. 5, 1778, signed Silas Deane. Received October 11, 1779.

LE Ja '43

REPLY

OF

WILLIAM LEE

TO

SILAS DEANE.

1779.